

**AMENDMENT TO THE COMMITTEE PRINT**  
**OFFERED BY MS. BALDWIN OF WISCONSIN**

Page 20, strike line 21, and all that follows through page 23, line 10, and insert the following (and redesignate the succeeding subparagraph accordingly):

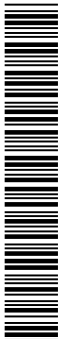
1           “(2) ENFORCEMENT.—

2                   “(A) COMPLAINT.—On request of an af-  
3           fected potential residential subscriber, if a fran-  
4           chising authority in a franchise area has rea-  
5           sonable cause to believe that a cable operator is  
6           in violation of this subsection with respect to  
7           such franchise area, the franchising authority  
8           may initiate a proceeding to enforce the re-  
9           quirements of paragraph (1) within its jurisdic-  
10          tion.

11                   “(B) NOTICE BY FRANCHISING AUTHOR-  
12          ITY.—Before initiating a proceeding under sub-  
13          paragraph (A), a franchising authority—

14                           “(i) shall give notice of each alleged  
15                           violation to the cable operator;

16                           “(ii) shall provide a period of not less  
17                           than 30 days for the cable operator to re-  
18                           spond to each such allegation; and

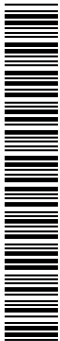


1 “(iii) during such period, may require  
2 the cable operator to submit a written re-  
3 sponse stating the reasons why the oper-  
4 ator has not violated this subsection.

5 “(C) DECISION.—Within 180 days after  
6 initiation of a proceeding under subparagraph  
7 (A), a franchising authority shall issue a writ-  
8 ten final decision setting forth its findings and  
9 the reasons for its decision.

10 “(D) APPEAL TO THE COMMISSION.—A  
11 final decision issued by a franchising authority  
12 under subparagraph (C) may be appealed to the  
13 Commission within 120 days after the date of  
14 issuance.

15 “(E) MOTION TO ENFORCE.—If a final de-  
16 cision issued by a franchising authority under  
17 subparagraph (C) is not appealed to the Com-  
18 mission within 120 days after the date of  
19 issuance, the franchising authority may, within  
20 180 days after the date of issuance, file a mo-  
21 tion to enforce its decision with the Commis-  
22 sion. Upon the filing of such a motion and after  
23 notice to the cable operator, the Commission  
24 shall impose remedies on the cable operator  
25 pursuant to subparagraphs (I) and (J).



1           “(F) NOTICE BY COMMISSION.—Upon re-  
2           ceipt of an appeal under subparagraph (D), the  
3           Commission shall give notice of the appeal to  
4           the complainant and the franchising authority  
5           that initiated the proceeding under subpara-  
6           graph (A).

7           “(G) INVESTIGATION.—In a proceeding  
8           under subparagraph (A), the franchising au-  
9           thority may require a cable operator to disclose  
10          to the authority such information and docu-  
11          ments as necessary to determine whether the  
12          cable operator is in compliance with this sub-  
13          section. In investigating an appeal under this  
14          paragraph, the Commission may require a cable  
15          operator to disclose to the Commission such in-  
16          formation and documents as necessary to deter-  
17          mine whether the cable operator is in compli-  
18          ance with this subsection and shall allow the  
19          franchising authority that initiated the pro-  
20          ceeding under subparagraph (A) to review and  
21          comment on such information and documents.  
22          The Commission and the franchising authority  
23          shall maintain the confidentiality of any infor-  
24          mation or document collected under this sub-  
25          paragraph.



1           “(H) DEADLINE FOR RESOLUTION OF AP-  
2           PEAL.—Not more than 120 days after the Com-  
3           mission receives an appeal under this para-  
4           graph, the Commission shall issue a determina-  
5           tion with respect to each violation alleged in the  
6           decision of the franchising authority.

7           “(I) DETERMINATION.—In response to a  
8           motion to enforce a franchising authority’s deci-  
9           sion that a cable operator has violated para-  
10          graph (1) with respect to a group, or if the  
11          Commission determines in response to an ap-  
12          peal that a cable operator has violated para-  
13          graph (1) with respect to a group, the Commis-  
14          sion shall ensure that the cable operator ex-  
15          tends access to that group.

Page 23, after line 25, insert the following:

16          “(3) BIENNIAL REPORT.—A cable operator  
17          with a national franchise under this section for a  
18          franchise area shall, not later than 180 days after  
19          the effective date of such national franchise, and bi-  
20          annually thereafter, submit a report to the Commis-  
21          sion and the franchising authority in the franchise  
22          area—



1                   “(A) identifying the geographic areas in  
2                   the franchise area where the cable operator of-  
3                   fers cable service; and

4                   “(B) describing the cable operator’s  
5                   progress in extending cable service to other  
6                   areas in the franchise area.

